

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	664	Press Mis.
89-40.	Dated 7-5-1870	19

Not to be folded or roughly handled

2/11/70

*Proceedings of the Madras Government, Revenue Department,
7th May 1870.*

No. 89. Read the following Proceedings of the Board of Revenue, dated 20th April 1870, No. 2,546:—

Read the following letter from the Advocate-General, Madras, to the Chief Secretary to Government, Fort Saint George, dated 21st February 1870.

I HAVE the honour to state, for the information of His Excellency in Council, that I appeared on the 16th and 17th of this month before Mr. Justice Bittleston on behalf of the Right Honourable the Secretary of State for India in Council in the Suit brought by him against Inguva Seetaramaya and others.

2. The object of this Suit was to force the first defendant to remove a certain Choultry situated on the Esplanade north of the Black Town Walls.

3. The land on which the building stood had been purchased by the late Esplanade Committee for and on behalf of the East India Company so far back as 1823.

4. At that time the vendor, the grandfather of the first defendant, applied for and obtained leave from the Committee to allow this building, which he represented as a Charity Choultry, to stand; he undertaking to remove it whenever called on so to do.

5. It has lately become necessary to enforce the compliance with this undertaking, not, so far as I am aware, because the land on which the building stands is wanted for public purposes, but because in 1862 the defendant set up a claim to it, hostile to Government, which in the course of a few years more would have ripened into an indefeasible title through twelve years' adverse possession.

6. The case, which however occupied two whole days, was clearly proved against him. It is superfluous to enter into the details which are not of any interest. The defendant set up a manifestly false title, and supported it by direct and wilful perjury.

7. A Decree was pronounced in favour of the plaintiff, directing the defendant to remove the building within three months. Costs were also awarded against him. I am afraid there is but very little chance of recovering any from him.

8. He has recently, since action brought, made an encroachment upon some adjacent Government land, which he sowed with vegetable seed in November last.

9. Steps will be taken to eject him from this land, but I am afraid it may prove a troublesome task.

TRANSFERRED to the Board of Revenue for such remarks as they may have to offer.

5th March 1870.

(Signed) H. WELLESLEY,
Acting Under-Secretary to Government.

In this report the Advocate-General informs Government that the Suit against Inguva Seetaramaya to compel him to remove a Choultry and vacate a piece of land has been decided in favour of Government.

*Proceedings of the Madras Government, Revenue Department,
7th May 1870.*

2. As there is no prospect, it appears, of recovering costs, though they have been awarded against the defendant, the Board recommend Government to sanction their being borne by the Public Funds.

3. The same individual has encroached on an adjoining piece of land, and the Board have, in their Proceedings of the 1st March 1870, No. 1,471, recommended Government to sanction a criminal prosecution in accordance with the advice of the Government Solicitor.

4. In paragraph 9 Mr. Norton expresses a fear that difficulty will be experienced in this task.

No. 90.

ORDER THEREON, 7th May 1870, No. 664.

Miscellaneous.

Proceedings of Government, dated 12th April 1870, No. 516.

THE Government defer passing orders on paragraph 2 of the Board's Proceedings till the result of the appeal instituted by the defendant is known.

2. Referring to paragraph 3, in which allusion is made to the Board's Proceedings, dated 1st March 1870, No. 1,471, the Government observe that in a later communication, dated 13th April 1870, the Board requested sanction to institute a Suit against I. Seetaramaya in lieu of the criminal prosecution first proposed, for which sanction has accordingly been granted in the Order, dated 23rd April 1870, No. 564.

(True Extract.)

(Signed)

R. A. DALYELL,

Acting Secretary to Government.

To the Board of Revenue.
,, the Government Solicitor.

Exd. F. R. Bantleman.

17-661c

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 7th May/79
Read the following. Proceedings of the

Board of Revenue.

Recommending that costs awarded against defendant in suit, instituted by Government in High Court against one Inguva Sektaramaya, to compel him to remove a shanty situated on Esplanade north of Black Town walls in Madras District, be borne by Public Funds, as there is no prospect of recovering them from him.

(H. E. 20th April 1870 No 2546)

The Government

defer passing orders on para 2 of the Board's Proceedings till the result of the appeal, instituted by the Defendant is known.

2. Referring to para 3 in which allusion is made to the Board's Proceedings dated 1st March 1870 No 1471, the Government observe that in a later communication dated 13th April 1870, the Board requested sanction

Pro. of Govt. dated 12th April 1870
No 516.

S. D. S.

Govt. of Madras.

REVENUE.

THE BOARD OF REVENUE.

Secy. Secy. Secy.

Dated May, 7th.

Recd.

G. O., 7th May 1870, No. 663.

MAY.

Nos. 89-90.

Suit instituted against Inguva Sektaramaya for the removal of a Choultry north of Madras, Black Town.—Board's Proceedings regarding the costs awarded against defendant being borne by Public Funds, with orders thereon.

to institute a suit against J.
Sectaramaya in lieu of the
criminal Prosecution first
proposed, for which sanction has ac-
cordingly been granted in the order
dated 23rd April 1870. N^o 564.

14. Board of Revenue D^o. 10th May
14. Government Solicitor. S

W. H. B. all